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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 JAMES CLINTON FAIRCLOTH, JR.,

8 Petitioner,

9 v.

10 STATE OF WASHINGTON,

11 Respondent.

No. C11-5895 RBL/KLS

ORDER DIRECTING SUBSTITUTION OF
PARTY

12 Mr. Faircloth has filed a petition for writ of habeas corpus naming the State of
13 Washington as Respondent. ECF No. 7. The proper respondent to a habeas petition is the
14 “person who has custody over [the petitioner].” 28 U.S.C. § 2242; see also § 2243; *Brittingham*
15 *v. United States*, 982 F.2d 378 (9th Cir. 1992); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir.
16 1989). According to his petition, Mr. Faircloth is currently confined at the Stafford Creek
17 Corrections Center in Aberdeen, Washington. The Superintendent of the Stafford Creek
18 Corrections Center is Patrick R. Glebe.

19 Accordingly, the Clerk of Court is directed to substitute Patrick R. Glebe as the
20 Respondent in this action. The Clerk shall send copies of this Order to Petitioner and counsel
21 for Respondent.

22 DATED this 20th day of December, 2011.

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25 Karen L. Strombom
26 United States Magistrate Judge